



U.S. Department of Justice
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NEWS RELEASE

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GRAND JURY RETURNS INDICTMENTS

KANSAS CITY, Kan. – United States Attorney Eric Melgren announced that six individuals were indicted on April 1, 2004, by a federal grand jury in Kansas City, Kansas. Those indicted include:

- ! **John Francis Haggerty**, 39, Overland Park, Kansas, is charged with two counts of wire fraud and one count of transporting stolen securities.

The indictment alleges that in 1998 Haggerty was barred from association with the National Association of Security Dealers (NASD) because he made baseless price predictions to customers, made untrue statements to customers, and employed devices to defraud customers. The indictment further alleges that from April 1999 through April 2000, Haggerty devised a scheme to defraud customers by holding himself out as an investor or stockbroker doing business through his trading company, JFH Trading Corporation, Kansas City, Missouri, and convinced customers to invest money through him. The indictment alleges that Haggerty used approximately \$294,500 in customer funds for his personal benefit.

If convicted, Haggerty faces a maximum of twenty years in federal prison, without parole, on each count of wire fraud and a maximum of ten years for transporting stolen securities. The case was investigated by the Overland Park Police Department and the FBI and is being prosecuted by Assistant U.S. Attorney Scott Rask with the assistance of the Johnson County District Attorney's Office.

- ! **William T. Smith**, 45, U.S. Penitentiary, Leavenworth, Kansas, is charged with one count of possession with the intent to distribute approximately 32.5 grams (1.15 ounces) or more of heroin; and one count of being an inmate in possession of a prohibited object, namely heroin, both on August 27, 2002.

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If convicted, Smith faces a maximum of twenty years in federal prison, without parole, for possession with the intent to distribute heroin and a maximum of ten years for being an inmate in possession of a prohibited object. The case was investigated by the FBI and is being prosecuted by Assistant U.S. Attorney Kim Berger.

- ! **Leonard Scott Cunningham**, 38, U.S. Penitentiary, Leavenworth, Kansas, is charged with one count of attempted murder of an officer at the U.S. Penitentiary at Leavenworth, Kansas, by stabbing the officer with a home made knife on May 18, 2003; and one count of being an inmate in possession of a prohibited object, namely a home made knife on May 18, 2003.

If convicted, Cunningham faces a maximum of twenty years in federal prison, without parole, for attempted murder and a maximum of five years for possessing a prohibited object. Cunningham was originally indicted with these same charges in May 2003, that indictment was dismissed without prejudice on December 11, 2003, because of a scheduling conflict in the case. The case was investigated by the FBI and is being prosecuted by Assistant U.S. Attorney Kim Berger.

- ! **Andre Lamar Ivory**, 27, Lawrence, Kansas, currently in custody, is charged with two counts of distributing crack cocaine on March 18 and 19, 2004; and two counts of distributing more than five grams (more than .17 ounce) of crack cocaine on March 19 and 21, 2004, all in Lawrence, Kansas.

If convicted, Ivory faces a maximum of twenty years in federal prison, without parole, on each count of distributing crack cocaine and a minimum of five years and a maximum of forty years for each count of distributing more than five grams of crack cocaine. The case was investigated by the Douglas County Sheriff's Office and the Lawrence Police Department Drug Enforcement Unit and is being prosecuted by Assistant U.S. Attorney Scott Rask.

- ! **Griselna Leal-Lugo**, 39, Tucson, Arizona, and **Jesus Martin Urrea-Leal**, 21, Tucson, Arizona, both currently in custody, are each charged with one count of possession with the intent to distribute approximately 100 pounds of marijuana on March 30, 2004; and one count of conspiracy to possess with the intent to distribute approximately 100 pounds of marijuana between March 28 and 30, 2004, both in Shawnee County, Kansas.

If convicted, each face a maximum of twenty years in federal prison, without parole, on each count. Leal-Lugo and Urrea-Leal will each make their initial appearance in U.S. District Court in Topeka, Kansas, on April 6, 2004, at 11:30 a.m. The case was investigated by the Drug Enforcement Administration and the Kansas Highway Patrol.

As in any criminal case, a person is presumed innocent until and unless proven guilty. The Indictments filed merely contain allegations of criminal conduct.